

MISSOURI
DEPARTMENT OF SOCIAL SERVICES

Matt Blunt
Governor

Deborah E. Scott
Director

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July 31, 2008

The Honorable Matt Blunt
Governor of the State of Missouri
State Capitol Building, Room 216
Jefferson City, Missouri 65101

Dear Governor Blunt:

Governor, the enclosed Health Care Responsibility report is required by the Revised Statutes of the State of Missouri (RSMo) section 208.230. This report provides aggregate information on Missouri employers of 50 or more employees who are MO HealthNet participants. This report also includes employers of 50 or more employees who, while not MO HealthNet participants themselves, are financially responsible for a spouse or child who is a MO HealthNet participant.

Some of the information used in compiling this report was made available to the Department of Social Services (DSS) through wage records compiled by the Department of Labor and Industrial Relations (DoLIR) and is prohibited from public disclosure by federal regulations 20 CFR 603.9(b) and 603.9(c)(2). Below is a recap of the aggregate data that is allowed for public disclosure:

- 433,953 MO HealthNet participants were employed during the first quarter of calendar year 2008, or were a MO HealthNet participating spouse or child of an employed individual. 169,392 of these participants are associated with an employer of 50 or more, which results in 589 employers included in this report.
- These 589 companies employed 874,184 individuals in the state of Missouri. The DSS identified 82,269 individuals who were MO HealthNet participants or were responsible for a family member who participated in MO HealthNet. Therefore, 9.4% of the workforce of these companies received MO HealthNet benefits for themselves or their families.
- Based on a survey of employers conducted by DSS' contractor, Infocrossing, Inc., 69% of the employers provide insurance for their full-time employees and their family members.

The Honorable Governor Matt Blunt

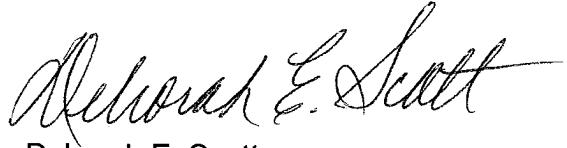
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- The preliminary estimate of the state of Missouri's cost for MO HealthNet health care benefits for the 589 companies' associated employees and their family members was \$101.7 million during the first quarter of calendar year 2008. (This is preliminary due to the normal lag time of 6-9 months for claims to be filed.)

I will be happy to discuss this report with you as needed.

Sincerely,



Deborah E. Scott
Director

Enclosure



***MISSOURI
HEALTH CARE
RESPONSIBILITY REPORT***

***First Quarter 2008
January – March, 2008***

*Missouri Department of Social Services
MO HealthNet Division
July 31, 2008*

CONTACT INFORMATION

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MISSOURI HEALTH CARE RESPONSIBILITY REPORT

Introduction

On November 27, 2006, Governor Matt Blunt signed Executive Order 06-45, directing the Missouri Department of Social Services (DSS) to prepare a Medicaid beneficiary employer report to be submitted to the Governor on a quarterly basis and to be known as the Missouri Health Care Responsibility Report.

In the 2007 legislative session, the Missouri General Assembly enacted Senate Bill 577, which transformed the Missouri Medicaid program into MO HealthNet (MHN). Section 208.230 of SB 577 is known as the “Public Assistance Beneficiary Employer Disclosure Act.” It directs the Department of Social Services to prepare a MO HealthNet beneficiary employer report. The requirements of Section 208.230 and Executive Order 06-45 are virtually identical.

Data Confidentiality

The Department of Labor and Industrial Relations (DOLIR) maintains a database of employers, employees, and wage information for the purpose of administration of the state unemployment compensation program. United States Department of Labor regulations (20 CFR 603) govern how such information can be used and under what circumstances the information can be made available to others. Federal regulations allow the disclosure of normally confidential information to public officials for use in their official duties, but do not allow public disclosure of confidential information. Therefore, the report must be limited to non-identifiable data regarding individual employers. Wherever possible, DSS has used aggregated data to describe the employed population that receives MHN benefits and services.

A more detailed explanation of the methodology used to compile the report follows the summary data shown on the next two pages.

SUMMARY DATA
MISSOURI HEALTH CARE RESPONSIBILITY REPORT
January to March, 2008

Number of Employees and Family Members Included in the Report

A total of 433,953 MHN enrollees were employed during the quarter or were the spouse or child of an employed individual. However, only 169,392 of these are associated with an employer with 50 or more such individuals and are included in this report.

Percentage of Workforce

Five hundred and eighty-nine (589) companies were identified as employing fifty (50) or more individuals who either received MHN benefits or were responsible for a spouse or child who received such benefits. These companies employed a total of 874,184 individuals in the State of Missouri. The Department of Social Services identified 82,269 individuals who were MHN enrollees or were responsible for a family member who was enrolled in MHN. Therefore, 9.4% of the workforce of these companies received MHN benefits for themselves or their families.

Number of MHN Enrollees for Employers with Fifty or More Individuals

MHN Enrolled Employees (E)	39,164
Employees with MHN Enrolled Family Members (N)	43,105
Total Employees (E + N)	82,269
MHN Enrolled Spouses (S)	6,238
MHN Enrolled Children (C)	123,990
Total MHN Enrollees (E + S + C)	169,392

Insurance Coverage

Based on a survey of employers conducted by DSS contractor, IFOX, 69% of the employers provide insurance for their full-time employees and their family members. As shown below, coverage for part-time employees was far less likely to be available.

Percentage of All Employers Surveyed Providing Coverage for:	Full-Time Employees	Part-Time Employees	Spouses	Children
Yes	69%	22%	69%	69%
No	3%	50%	3%	3%
Unknown	28%	28%	28%	28%

Cost to the State of Missouri

The total cost to date to the State of Missouri for providing MHN coverage to these employees and their family members is \$101.7 million during the quarter covered by the report.

HIPP Enrollees	2,028
HIPP Payments	\$115,738
Title XIX Cost	\$100,133,136
Title XXI Cost	\$1,342,449
Other Cost	\$58,704
Total Cost	\$101,650,026
Total MHN Enrollees (E + S + C)	169,392
Per Capita/PMPM Cost	\$200.03

The PMPM cost ranged from a low of \$49.82 to a high of \$2,530.85 per individual.

It should be noted that receipt of MO HealthNet claims often lags for several months. Most bills are received and paid within six months.

Each subsequent quarterly report will include information from the current quarter, as well as updated data for previous quarters for up to one year.

Methodology

The Department of Social Services formed a working team of representatives from the MO HealthNet Division (MHD); the Family Support Division (FSD); the Information Technology and Services Division (ITSD) of the Office of Administration (OA); the Research and Evaluation Section of the DSS Center for Management Information (DSS/R&E); and Info Crossing (IFOX), the MHN claims administrator, to design, gather data, program, and produce the report. DSS also received assistance and data from the Department of Labor and Industrial Relations (DOLIR), which maintains wage information on employed Missourians, and the Personnel Division of OA, which maintains state employee records.

Compiling the data for the report requires combining eligibility data from DSS; wage data from DOLIR; state employee data from OA; and MO HealthNet claims data from FOX.

The steps in the process are outlined below:

- At the end of the quarter, DOLIR provides a computer file to FSD/FAMIS and ITSD that includes all wages paid during the quarter for each employee and identifying information for the employer, including the number of employees for whom wages were paid by that employer during the quarter.
- FSD/FAMIS and ITSD match the wage file from DOLIR against DSS eligibility files to determine those employees who were eligible for MO HealthNet benefits at any time during the quarter and/or were responsible for a MO HealthNet eligible spouse or child. Since the DOLIR file contains only wage information and does not contain employment dates, DSS includes all individuals who received both wages and MHN benefits at any time during the quarter. (With respect to state employees, DSS takes the additional step of sending a file to the Division of Personnel in the Office of Administration to identify more precise employment dates.)
- FSD/FAMIS and ITSD add a code to the file for each individual. The code indicates if the individual is an employee who receives MO HealthNet benefits (E); an employee who does *not* receive MO HealthNet benefits, but is responsible for a spouse or child who does (N); an eligible spouse of an employed individual (S); or an eligible child of an employed individual (C). FSD/FAMIS and ITSD send both files to DSS/R&E.
- DSS/R&E combines the two files and eliminates all employees who work for employers that employ fewer than fifty (50) MO HealthNet beneficiaries or persons responsible for a MO HealthNet beneficiary.
- To determine the cost of MHN coverage, FOX matches the file of employees against MO HealthNet claims and HIPP payment data. The total MHN cost includes Title XIX claims, Title XXI claims, and HIPP premium payments. (HIPP premium payments are made when a MO HealthNet enrollee has access to employer sponsored health insurance and it is more cost effective to pay the healthcare premium for the

individual rather than to provide traditional MHN coverage. In such cases, the private insurance becomes the primary carrier. MHN is the secondary carrier and only pays for those services not covered by the primary carrier.)

- To obtain insurance information IFOX conducts a telephone survey of all the employers included in the report.
- Limiting costs to services received within the same quarter in which wages were paid will underestimate costs in the initial quarterly report because of the inevitable lag between when services are delivered and when they are billed and paid. Based on historical data, approximately 85% of all claims are submitted and paid within three months from the date of service, while 93% are submitted and paid within six months. Therefore, DSS will save the data for each quarter's recipients and re-run the claims data in subsequent quarters in order to add payments made after the end of the quarter in question. Each subsequent quarterly report will include information from the current quarter, as well as updated data for previous quarters for up to one year.
- DSS/R&E computes the per capita cost. The per capita cost is expressed in the report as a "per member, per month" (PMPM) cost. The PMPM cost is determined by dividing the total cost (Title XIX, Title XXI, and HIPP payments) by the number of MHN enrollees (E + S + C). The quarterly cost is then divided by three months in order to obtain a monthly cost.
- DSS/R&E compiles the report for publication.

Data which is Unavailable

There is no central source or data base maintained by any agency of state government for three data elements that are required for the preparation of the Missouri Health Care Responsibility Report:

- whether the employer offers health insurance to its full-time and part-time employees and their dependents;
- the hours worked by the individual for each employer; and
- the employment dates for each individual for each employer.

DSS addressed the first by conducting a telephone survey requesting the information from all employers included in the report. The absence of the other two data elements prevents DSS from reporting whether or not individuals are employed full-time or part-time. It also prevents a direct correlation between dates of employment and MHN eligibility.

In addition, industry category data is not currently available to DSS from DOLIR or DED. DSS expects to include this data in future reports.



MATT BLUNT
GOVERNOR

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

OFFICE OF GENERAL COUNSEL

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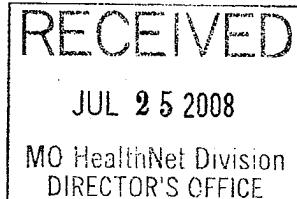
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TODD SMITH
DEPARTMENT DIRECTOR

MATTHEW W. MURPHY
GENERAL COUNSEL

July 23, 2008

Judith Muck
Deputy Division Director
Missouri Health Net Division
221 West High Street
P.O. Box 1527
Jefferson City, MO 65102-1527



Dear Judy,

This letter is in response to your request that the Missouri Department of Labor and Industrial Relations (DOLIR) provide a written statement of its position regarding your request to use unemployment data derived from DOLIR to complete the Missouri Health Care Responsibility Report required by section 208.230, RSMo.

The United States Department of Labor has promulgated regulations, found at 20 CFR part 603, regarding the use and disclosure of unemployment information. The federal regulations define "Confidential Information" as "information in the records of a State or State UC [unemployment] agency that pertains to the administration of the State UC law." (See 20 CFR 603.2(b) and (j)).

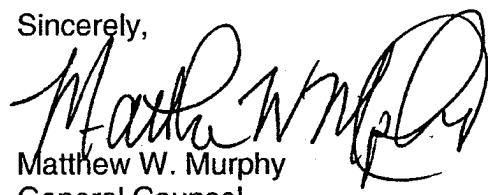
It appears that DSS intends to use unemployment information to determine the number of employees a specific employer has and the percentage of an employer's workforce that receives or that has dependents who receive MO HealthNet benefits. This information is considered "confidential" pursuant to the federal regulations. Although they allow the disclosure of confidential information to a public official (such as DSS) for use in its official duties, the regulations do not allow a public official to make a public redisclosure of confidential information that is not for unemployment administration purposes. (See 20 CFR 603.9(c)(2) and 603.9(b)). Thus, if DSS needed to prepare this report only to be viewed by the Governor or the Legislature, DOLIR could authorize that use (with the requirement that those officials could not redisclose the information). The problem is that 288.230.5 requires DSS to make this report available to the public – disclosing confidential unemployment information in this manner would violate the federal confidentiality regulations.

As we discussed, DOLIR can authorize DSS to receive individual records for use in the report, if the report that is made publicly available contains only aggregated data from which no individual employer or employee can be identified. The regulations exclude such aggregated data from the definition of "confidential information."

Judith Muck
July 23, 2008
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I understand DSS' statutory obligation to provide the Missouri Health Care Responsibility Report. If there is any means by which DOLIR can fulfill your needs while complying with the applicable federal regulations, we will certainly accommodate. Please let me know if I may be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew W. Murphy".

Matthew W. Murphy
General Counsel

c: Todd Smith, Director